

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEFFREY D. INGRAHAM,)	
)	
Plaintiff,)	Civil Action No. 12-682
)	Judge Cathy Bissoon
v.)	Magistrate Judge Maureen P. Kelly
)	
THE PRUDENTIAL INSURANCE)	
COMPANY of AMERICA)	
)	
Defendant.)	

MEMORANDUM ORDER

Plaintiff Jeffrey D. Ingraham brings the instant cause of action against Defendant under the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. § 1001, *et. seq.* (“ERISA”). On October 18, 2012, Defendant filed a motion for judgment on the pleadings. (Doc. 16). Plaintiff responded in opposition to this motion on December 12, 2012. (Doc. 19). Defendant filed a reply brief on December 28, 2012. (Doc. 20). Plaintiff filed a sur-reply brief on January 11, 2013. (Doc. 21).

This matter was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrate Judges. The magistrate judge issued a report and recommendation on March 7, 2013, recommending that Defendant’s motion for judgment on the pleadings be granted. (Doc. 22). Plaintiff filed objections to the report on March 22, 2013. (Doc. 23). Defendant responded to the objections on April 2, 2013. (Doc. 24).

After *de novo* review of the pleadings and documents in the case, together with the report and recommendation (Doc. 22), Plaintiff’s objections thereto (Doc. 23), and Defendant’s response (Doc. 24), the following ORDER is entered:

AND NOW, this 8th day of May, 2013,

IT IS HEREBY ORDERED that Defendant's motion for judgment on the pleadings (Doc. 16) is GRANTED.

IT IS FURTHER ORDERED that the magistrate judge's report and recommendation (Doc. 22) is adopted as the opinion of this Court.

BY THE COURT:

s/Cathy Bissoon
CATHY BISSOON
UNITED STATES DISTRICT JUDGE

cc (via ECF email notification):

All Counsel of Record